

Notice of Allowability	Application No.	Applicant(s)	
	10/699,822	FURUTA ET AL.	
	Examiner	Art Unit	<i>AW</i>
Nikita Wells	2881		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to "Amendment under 37 CFR 1.111" received 29 July 2004.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ The drawings filed on 04 November 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Nikita Wells
Primary Examiner
Art Unit: 2881

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-18 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The Applicant added claims 13-18 according to "Amendment under 37 CFR §1.111" received July 29, 2004, and presented arguments in favor of allowance of the original and newly amended claims. The Applicant demonstrated to the Examiner's satisfaction that, with respect to the 35 U.S.C. 102(b) rejection of the original independent claims 1 and 9, as well as the newly added independent claim 13, the primary reference of R.M. Caprioli (5,808,300) is not applicable to the Applicant's invention. With respect to claims 1 and 9, R.M. Caprioli, and any other prior art, fails to disclose or make obvious the feature of the present invention, in which a sample, as well as the sample preparation method of a sample plate for a laser desorption ionization mass spectrometric method (MALDI), is radiated by a laser beam, whereby the sample plate has one portion of areas on the sample plate surface as an ionization area used for ionizing the sample through laser irradiation, and another portion on the sample plate surface being prepared as a plane area to which a membrane bearing the sample adsorbed thereon is fixed.

With respect to the newly added independent claim 13, R.M. Caprioli, and any other prior art, fails to disclose or make obvious the feature of the present invention, in which a sample plate body having a working surface, the working surface includes a membrane affixing region and an ionization region disposed in a juxtaposed manner relative to each other, wherein the ionization region includes at least one groove formed in an endless loop into the working surface to define a spot area disposed on the working surface.

Therefore, the independent claims 1, 9, and 13 are allowed. The dependent claims 2-8, 10-12, and 14-18, are allowed by virtue of their dependence upon claims 1, 9, and 13, respectively.

Conclusion

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nikita Wells whose telephone number is (571) 272-2484. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R Lee can be reached on (571) 272-2477. The central fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Nikita Wells". The signature is fluid and cursive, with the first name "Nikita" and last name "Wells" clearly distinguishable.

Nikita Wells, Primary Examiner

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September 2, 2004